

REMARKS

An IDS is submitted herewith.

Claim 55 is currently amended. Support for the amendments to claim 55 is found, e.g., at page 11, lines 14 and 15 of the originally filed Specification. Consequently, no new matter has been added.

Claims 55, 57 and 58 have been rejected under 35 U.S.C. §103(a) as being obvious over the unexamined Japanese Utility Model Application No. 1-72128 ("The 128 Utility Model") in view of Dolinsky, U.S. Patent No. 4,288,833 ("Dolinsky"). Applicants respectfully disagree, but nevertheless have amended claim 55 to place the claims in condition for immediate allowance.

As amended, claim 55 features an oral brush that includes, in pertinent part, one or more elastomeric element(s), the elastomeric element(s) including a thermoplastic elastomer having a Shore A hardness of 30 or greater, the thermoplastic elastomer including an oil plasticized styrene-ethylene-butylene-styrene block copolymer. Applicants have found that the addition of an oil to the elastomer desirably lowers the coefficient of friction of the element or elements (especially when wet), improving mouth feel, safety, comfort, and improving the ability of the elastomeric element or elements to slide between teeth to provide a clinical benefit.

The 128 Utility Model discloses an oral cleaning implement employing filaments composed of an engineering elastomer that are melt spun (i.e., extruded and drawn). Polystyrene based thermoplastic elastomers are disclosed. However, the 128 Utility Model does not disclose or contemplate a thermoplastic elastomer including an oil plasticized styrene-ethylene-butylene-styrene block copolymer, as now required by claim 1.

Dolinsky discloses a combined tooth brush and gum massaging device that includes a plurality of relatively stiff bristles and one or more rows of massaging elements. Dolinsky discloses that his massaging elements can be made of a rubber or suitable rubber substitute (col. 1, lines 45-50). However, Dolinsky does not disclose or contemplate a thermoplastic elastomer including an oil plasticized styrene-ethylene-butylene-styrene block copolymer, as now required by claim 1.

Assuming these references can be properly combined, which is not conceded, such a combination would nonetheless not have led to Applicants' claimed oil plasticized styrene-ethylene-butylene-styrene block copolymer. Neither reference discloses or contemplates using

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oil in any elastomer, and particularly not in a styrene-ethylene-butylene-styrene block copolymer, as now required by claim 1.

Claims 59 and 60 have been rejected under 35 U.S.C. §103(a) as being obvious over the 128 Utility Model and Dolinsky as applied to claim 55, and further in view of Muhler, U.S. Patent No. 3,613,143 ("Muhler"). Dolinsky and the 128 Utility Model have been described above.

Muhler describes a brush having abrasive-impregnated bristles (Abstract). Muhler does not disclose or contemplate a thermoplastic elastomer including an oil plasticized styrene-ethylene-butylene-styrene block copolymer, as now required by claim 1. Accordingly, Applicants submit that claims 59 and 60 are allowable for at least the reason that they depend from an allowable base claim.

Applicants respectfully submit that claims 55 and 57-60, as now presented, are in condition for allowance, an action which is respectfully requested.

Please apply any charges or credits to deposit account 06-1050, referencing Attorney Docket No. 00216-368005.

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